

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1 and 3-46 remain pending, wherein claims 1, 3, 4, 6, 7, 10, 11, 14, 18-24, 26, 27, 29, 30, 33, 34, 37 and 41-46 are amended.

Claims 1 and 3-46 stand rejected for obviousness under 35 U.S.C. § 103(a) in view of the combination of U.S. Patent No. 6,567,800 to Barrera et al. (“Barrera”) and U.S. Patent No. 6,961,905 to Cover et al. (“Cover”). This ground of rejection is respectfully traversed.

Applicant’s claim 1 recites a data processing apparatus that involves a manual process that results in the saving of content of Internet pages. In particular, Applicant’s claim 1 requires “saving of a content of an Internet page displayed by a browser in response to one click of a single button displayed on the browser”. Thus, the claim is clear that the saving of the content is premised upon a user input and that content which is saved is content that is actually displayed to the user.

In order to further clarify the manual process involved in the apparatus of claim 1, this claim is amended to specify that the means for indexing creates “an index of the content of the currently displayed page based on the content acquired by said means for acquiring, and assigning the created index to the content acquired by said means for acquiring”.¹ The content that is acquired by the means for acquiring is “content of the currently displayed page from the browser”.

¹ Emphasis added.

In contrast to this manual process that involves displaying pages to a user and is initiated by a user clicking of a button displayed on a browser recited in Applicant's claim 1, Barrera discloses a website content for the search engine is automatically gathered using a spider.² Specifically, the system of Barrera employs "a computer program that automatically seeks out information (i.e., content) distributed on various nodes of a network (e.g., at websites on the Internet, or on an intranet) and sends it back to a predetermined location (e.g., the spider's "home server") such as a search computer shown as 501 in FIG. 5."³ Thus, it is clear that the system of Barrera does not involve pages displayed by a browser. In other words, the system of Barrera acquires web page data independent of a browser by using a spider that automatically obtains web page content.

There is nothing in Barrera indicating that this automatic process should be modified such that it requires a user to click a button displayed on a browser, or to acquire and index a currently displayed page. Again, the process of Barrera does not involve a browser, but instead involves a program that operates without a browser.

The Office Action relies upon Cover for the disclosure of "in response to one click of a single button on a browser." Cover discloses a technique for importing an image directly from a web browser for editing. This allows a user to save the edited image "back to its original location".⁴ Thus, the technique of Cover is designed to operate on a single element displayed on a web page at any

² Column 4, lines 4-7.

³ Column 4, lines 7-12. (Emphasis added).

⁴ Abstract.

particular time. This would not involve any type of indexing as required by claim 1.

Furthermore, as previously discussed, modifying the automated process of Barrera to require a user to click buttons goes against the basic premise of Barrera, which is to efficiently collect website information about a large number of websites for use by a search engine. In contrast, requiring a user to manually click a button on a browser in order to initiate the acquiring, indexing and saving of the content of a webpage would take much longer to acquire, index and save the content compared to the automated process expressly disclosed by Barrera. This would result in an inferior search engine. Clearly, one skilled in the art would not have been motivated to take Barrera's efficient technique for content acquisition, indexing and saving and make it many times more inefficient by requiring a user to manually click on a button on a page to initiate the content acquisition, indexing and saving, and in the process creating an inferior search engine.

Nevertheless, the Office Action states that one skilled in the art would have been motivated to modify the automated process of Barrera to require a user to manually click a button displayed on a browser "because it would have enabled users to modify images/data and to save back to the original location of the web page in a communication network". This does not explain why one skilled in the art would have made the process of Barrera less efficient than that expressly disclosed by Barrera.

The Advisory Action states that one skilled in the art would have been motivated to modify Barrera to create an inferior search engine to provide the ability to modify images and save them back to the original location. This functionality proposed to be added to Barrera by the disclosure of Cover can be achieved without making the process less efficient. For example, the system of Barrera can function in an automated manner, and then if a user desires to edit an image on a web page the user can navigate to the web page and edit the image as is expressly disclosed by Cover.

Because the combination of Barrera and Cover does not disclose or suggest all of the elements of claim 1 and one skilled in the art would not have been motivated to modify Barrera to require clicking a button on a browser in order to initiate saving of the content of an Internet page, the combination of Barrera and Cover does not render claim 1 obvious.

Independent claim 24 recites similar element to those discussed above with regard to claim 1, and is patentably distinguishable over the combination of Barrera and Cover for similar reasons. Claims 3-23 and 25-46 are patentably distinguishable at least by virtue of their dependency from claims 1 and 24. Accordingly, it is respectfully requested that the rejection of claims 1 and 3-46 for obviousness be withdrawn.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 103251.58981US).

Respectfully submitted,

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